

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NATHAN ALLEN ARMSTRONG,)
Petitioner,)
)
vs.) Civil Action No. 07-218
)
PENNSYLVANIA BOARD OF)
PROBATION AND PAROLE, et al.,)
Respondents.)

O R D E R

AND NOW, this 12th day of April, 2007, after the petitioner, Nathan Allen Armstrong, filed a petition for a writ of habeas corpus, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties thirteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner, and upon independent review of the petition and the record and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 12), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus filed by petitioner (Docket No. 3) is dismissed and a certificate of appealability is denied for lack of a viable federal constitutional claim.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

Donetta W. Ambrose
Donetta W. Ambrose
United States Chief District Judge

cc: Nathan Allen Armstrong
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